

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TEXAS GUARANTEED STUDENT	)	
LOAN CORPORATION,	)	CIVIL ACTION NO.
Plaintiff,	)	
V.	)	06-CV-11495(WHP) (THK)
	)	(ECF Case)
MERCER STREET BOOKS, INC.,	)	
Defendant.	)	
	)	December 6, 2007

**MOTION FOR JUDGMENT UPON DEFAULT**

Pursuant to Fed. R. Civ. P. 55(b)(1), the Plaintiff, Texas Guaranteed Student Loan Corporation ("Plaintiff") in the above-captioned action respectfully requests that judgment be entered against the Defendant for failure to appear or defend this action. The Plaintiff's claim is for a sum which can, by computation, be made certain. This motion is supported by the Affidavit of Kaye Worrell ("Affidavit of Debt"), which attests to the sum certain amounts due to the Plaintiff. The Affidavit of Debt is attached hereto and incorporated herein as Exhibit 1.

In support of this motion, Plaintiff would show the following:

1. A default was entered against the Defendant on November 30, 2007 for failure to appear in this action. The Clerk's Certificate is attached hereto and incorporated herein as Exhibit 2.
2. To the date of this motion, the Defendant has not appeared in this action.

3. As set forth in the Affidavit of Debt, as of the date of this motion, Defendant owes Plaintiff a total of \$9,625.02 on account of the student loan debt.

4. As demonstrated by the Affidavits of Attorneys' Fees attached hereto as Exhibits 3 and 4, Plaintiff has incurred attorneys fees and costs totaling \$21,094.97 to prosecute this action.

**WHEREFORE**, Plaintiff respectfully requests that judgment enter against Defendants in this matter in the total amount of \$30,719.99.

Respectfully submitted,  
PULLMAN & COMLEY, LLC

By: /s/ Jessica Grossarth  
Keith N. Costa  
Jessica Grossarth (JG1138)  
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Bridgeport, CT 06601-7006  
203-330-2215 Fax 203-576-8888  
**ATTORNEYS FOR PLAINTIFF**  
Texas Guaranteed Student Loan Corporation

**CERTIFICATION**

I hereby certify that on December 6, 2007, a copy of the foregoing was sent by first class, U.S. Mail, to:

Mercer Street Books, Inc.,  
c/o Wayne T. Conti  
206 Mercer Street  
New York, New York 10012

Carol Calhoun  
46 Carmine Street  
New York, NY 10014

/s/ Jessica Grossarth  
Jessica Grossarth

Bridgeport/71256.1/JXG/662771v1